United Nations CERD/C/IRQ/Q/15-21

International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination
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Item 4 of the provisional agenda
Consideration of reports, comments and information submitted by States parties under article 9 of the Convention

List of themes in relation to the combined fifteenth to twenty-first periodic reports of Iraq (CERD/C/IRQ/15-21)

Note by the Country Rapporteur

The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. This document contains a list of such themes. This is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

1. The Convention in domestic law (arts. 1, 3 and 4)

(a) Status of the Convention in the domestic legal order;

(b) Definition of racial discrimination, in accordance with article 1 of the Convention;

(c) Legal provisions implementing article 7(1) of the Constitution and penalizing misconducts in accordance with article 4 of the Convention (CERD/C/IRQ/15-21, para. 58);

(d) Rights of ethno-religious minorities; law implementing article 125 of the Constitution;

(e) Limitations on civil and political rights of naturalized persons.

2. Institutional and policy framework for the implementation of the Convention (arts. 2, 6 and 7)

(a) Fight against racial discrimination in the national action plan for human rights;

(b) Compliance of the mandate and capacity of the High Commission for Human Rights with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) and activities undertaken by the Commission contributing to the elimination of racial discrimination (CERD/C/IRQ/15-21, para. 26);

(c) Institutional and policy framework in Kurdistan, including the implementation of the regional human rights action plan, as well as the mandate of and the activities undertaken by the Kurdistan Region Independent Board of Human Rights which contribute to the elimination of racial discrimination;

(d) Independence of the judiciary and access to justice; information on complaints and court cases relating to racial discrimination;

(e) Promotion of understanding, tolerance and friendship among ethno-religious groups (CERD/C/IRQ/15-21, para. 22); efforts to address negative prejudices and stereotypes including negative portrayal of some ethno-religious groups in the school curricula.

3. Situation of ethno-religious groups (arts. 2, 5, 6 and 7)

(a) Ethno-religious composition of the population of the State party;

(b) Protection of members of ethno-religious groups against violence, including violence against minorities such as Turkmen Shi'a, Shabaks, Christians, Yazidis, Kurds; protection against forced displacement and emigration; measures taken to address sectarianism;

(c) Participation in public administration and in the security forces; instruments of dialogue with ethno-religious minority groups, especially those who do not enjoy political representation;

(d) Measures to promote equal enjoyment of the right to education, to work, to livelihood and to social security for all ethno-religious groups, especially for disadvantaged groups such as the black Iraqis and Yazidis; respect of the cultural rights and religious freedom of ethno-religious minorities;

(e) Economic and social rights of internally displaced persons; progress with the implementation of the National Strategy to End Displacement as well as efforts to facilitate the return of internally displaced persons to their places of origin;

(f) Situation of women from ethno-religious minority groups (CERD/C/IRQ/15-21, para. 34).

4. Situation of non-citizens, including stateless persons, migrants, refugees and asylum seekers (arts. 5, 6 and 7)

(a) Legal framework on the rights of persons in need of international protection;

(b) Progress in the regularization of the situation of stateless persons, including the status of Faili Kurds, restitution of property and compensation;

(c) Situation of asylum seekers and refugees, including those from the Islamic Republic of Iran, the State of Palestine and the Syrian Arab Republic;

(d) Protection of migrant workers against abusive practices in the workplace.